

ORIGINAL

Approved: 

KEVIN MEAD

Assistant United States Attorney

Before: HONORABLE ROBERT W. LEHRBURGER  
 United States Magistrate Judge  
 Southern District of New York

**22 MAG 4651**-----x  
 UNITED STATES OF AMERICA

- v. -

ASHLEY ARIAS and  
 CARLOS GOMEZ-MONTES,

Defendants.

: COMPLAINT: Violation of 21 U.S.C.  
 : § 846: COUNTY OF OFFENSE:  
 : NEW YORK-----x  
 SOUTHERN DISTRICT OF NEW YORK, ss.:

RYAN CARO, being duly sworn, deposes and says that he is  
 a Special Agent with the Federal Bureau of Investigation ("FBI"),  
 and charges as follows:

**COUNT ONE**  
**(Narcotics Conspiracy)**

1. From at least in or about January 2022 through in or about May 2022, in the Southern District of New York and elsewhere, ASHLEY ARIAS and CARLOS GOMEZ-MONTES, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ASHLEY ARIAS and CARLOS GOMEZ-MONTES, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that ASHLEY ARIAS and CARLOS GOMEZ-MONTES, the defendants, conspired to distribute and possess with intent to distribute were: (1) 400 grams and more of mixtures

and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(A), and (2) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

The bases for my knowledge of the foregoing charge are, in part, as follows:

4. I am a Special Agent with the FBI and have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my conversations with other law enforcement agents and other individuals. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. From my involvement in the investigation and my communications with the confidential sources described below, I have learned that the following narcotics transactions occurred between in or about January 2022 and in or about May 2022:

a. On a date in or about January, 2022, a woman later identified as ASHLEY ARIAS, the defendant, met with a confidential source ("CS-1")<sup>1</sup> at a location in New York, New York and provided a sample of narcotics. The narcotics were field-tested and tested positive for heroin.

b. On a date in or about January, 2022, the woman later identified as ARIAS met with a second confidential source ("CS-2")<sup>2</sup> at a location in New Jersey and sold CS-2 approximately

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<sup>1</sup> CS-1 has been providing information to the FBI for approximately 2.5 years in exchange for immigration benefits. To date, information provided by CS-1 has proven truthful and reliable, and has been corroborated by independent evidence, including seizures of narcotics.

<sup>2</sup> CS-2 has been providing information to the FBI for approximately 10 years in exchange for monetary compensation.



100 grams of narcotics in exchange for \$4,100. The narcotics were field-tested and tested positive for heroin.

c. On or about May 25, 2022, the woman later identified as ARIAS met with CS-2 at a location in New Jersey and provided a sample of narcotics. The narcotics were field tested and tested positive for both fentanyl and heroin.

d. On or about May 26, 2022, the woman later identified as ARIAS and a man later identified as CARLOS GOMEZ-MONTES, the defendant, met with CS-2 at a location in New Jersey to sell a kilogram of narcotics. At that meeting, the following occurred:

i. ARIAS and GOMEZ-MONTES arrived at the location in New Jersey together in a car.

ii. ARIAS and GOMEZ-MONTES exited the car, and GOMEZ-MONTES carried a bag that was later found to contain narcotics.

iii. ARIAS and GOMEZ-MONTES entered a car belonging to CS-2 and were arrested.

iv. The bag that GOMEZ-MONTES carried was searched and contained approximately one kilogram of a substance that appeared to be narcotics.

v. The kilogram of narcotics has not been field-tested because it is wrapped in several layers, one of which is a layer of chili pepper. Based on my training and experience, I know that this is a method drug-traffickers use to attempt to defeat narcotics-detecting dogs.

e. While the kilogram has not been field-tested, I believe that it contains heroin and fentanyl because the sample provided the day before tested positive for both heroin and fentanyl. I further know that ARIAS represented to CS-2 that she was meeting CS-2 for the purpose of selling a kilogram of heroin.

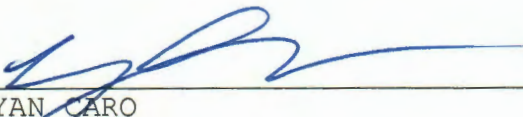
f. I know that the individual who provided narcotics to CS-1 and CS-2 on the previous occasions is ARIAS because law

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To date, information provided by CS-2 has proven truthful and reliable, and has been corroborated by independent evidence, including seizures of narcotics. In addition, certain of the communications involving CS-2 were recorded.

enforcement observed ARIAS at each prior narcotics transaction and recognized her to be the same person arrested on May 26, 2022. I further know from the communications between ARIAS and CS-1 and CS-2 that the individual who provided narcotics to CS-1 and CS-2 on the previous occasions is ARIAS.

WHEREFORE, I respectfully request that ASHLEY ARIAS and CARLOS GOMEZ-MONTES, the defendants, be imprisoned, or bailed, as the case may be.

  
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RYAN CARO  
Special Agent  
Federal Bureau of Investigation

Sworn to before me on  
this 27th day of May, 2022

  
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THE HONORABLE ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORKs